 Internal Case Management System Worksheet - Case Closing					Top Allegation OFFICIAL MISCONDUCT -	Group G12-GROUP 12 Date of This Report 08/01/2018	
Date Reported 10/09/2017	Date Assigned 10/09/2017	IAB Log No. 2017-39192	Case No. (G12) C-2017-513	Folder Type CORRUPTION	Preliminary Case Type MISCONDUCT	Follow-Up No.	Worksheet Tracking No. 3060586

Topic/Subject (Case Closing) CASE CLOSING(SUBSTANTIATED)	Activity Date 08/01/2018	Activity Time 16:20
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Referred to Group -	Conferred With	Next Review Date
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Closing Statement

Case #:
C-2017-0513

Log #:
 2017-39192
 2017-50164
 2017-50699
 2017-50722
 2018-6451
 2018-23262

Subject Officers:

Police officer James Secreto, Tax # 918312, 9th Precinct
 Date of Appointment: 07/06/2011
 Probation: No
 Current Duty Status: Terminated

Lieutenant James Lee, Tax# 930421
 Date of Appointment: 07/01/2002
 Probation: No
 Current Duty Status: Full Duty

Lieutenant Daniel Brown, Tax# 892820
 Date of Appointment: 07/28/1987
 Probation: No
 Current Duty status: Full Duty

Sergeant Guillermo Moncada, Tax# 919426
 Date of Appointment: 04/15/1997
 Probation: No
 Current Duty status: Full Duty

Sergeant James Keating, Tax# 932845
 Date of Appointment: 07/01 /2003
 Probation: No
 Current Duty status: Full Duty

Sergeant Kwame Pascal, Tax# 9947325
 Date of Appointment: 07/08 /2008
 Probation: No
 Current Duty status: Full Duty

Sergeant Thomas Yang, Tax# 923389
 Date of Appointment: 08/31/1998
 Probation: No
 Current Duty status: Full Duty

Date Case Received:
October 10, 2017

Date of Occurrence:

July 11, 2017

Administrative Statute of Limitations Expires:
January 11, 2019

Classification:
C-1

Investigator:
Sergeant Gloria Felder, Tax # 929519

Team Leader:
Lieutenant Kenneth Scianna, Tax # 919692

Overall Case Disposition:
PARTIALLY-SUBSTANTIATED

Details:

Log # 2017-39192

On Monday, October 9th, 2017 Inspector Nicholson stated that a representative from the Xerox Company called his office to report that Police Officer James Secreto was selling Xerox toner on Ebay, which was originally sold to the NYPD. The Xerox Corporation conducted their own investigation and determined that "Jimmy Secreto" who is a NYC Police Officer, was the seller. He earned \$400.00 through the sale of the toner. The toner was originally sent to the 9th precinct, which is where the MOS is assigned.

Log# 2017-50164

On Monday December 18, 2017, Sgt. David Mendez IAB Group 10 called to report that PO James Secreto Tax #918312 9 Precinct was modified at 1600 hours by Capt. Aversano for the good order, efficiency, or discipline of the Department, under the authority of Deputy Chief Cooper. The prior related log is #2017-39192.

Log #2017-50699

On December 22, 2017, Police Officer Secreto received Charges and Specifications, were preferred by DI. Hellman, Tax# 893152 CO IAB Group 21. It was under authority of Chief Cooper, IAB and the Dept. Advocate is Seymore.

Log# 2017-50722

On December 22, 2017, Police Officer Secreto is currently assigned to PSA1. Subject was suspended by DI. Hellman at 1825 hours at [REDACTED] and it was under the authority of Chief Cooper. Dept. Advocate Javier Seymore

Log# 2018-6451

On February 15, 2018, former MOS Police Officer Secreto Tax# 918312 surrendered himself at the Office of the New York County District Attorney Detective Squad and was arrested at 0900 hours (Arrest# M18609779).

Log# 2018-23262

On June 14, 2018, Charges and Specifications are preferred by Deputy Inspector Travaglia against Lieutenant James Lee, under the authority of Chief O'Neill. The department advocate is Javier Seymore. Serial # 2018-18920.

A Callout investigation was conducted by members of Group 12 and closed as a □C□ case to Group 12.

Identification and Interview of Complainant:

On Tuesday October 10, 2017 Xerox Corporate Security Investigator, [REDACTED] indicated that part of his assignment entails trolling eBay to look for Xerox supplies that he can identify. He further stated that Xerox has specific holographic labels on their supplies, that they can detect when a seller place such items on eBay. Once they become aware of such an item, he would normally reach out to his sales department to covertly procure a purchase of the item. Upon purchasing the item, they would obtain the PayPal information that would normally include the seller's name and address. At this point they would go back into eBay's seller's feedback and review the suspect's history. In regards to this investigation, [REDACTED] stated that they scanned the holographic label for the Xerox toner, which indicated that this particular box was shipped to the NYPD Xerox Corporate 9th Pct. on 03/01/2016. As a result they covertly procured a purchase of the Xerox toner on 03/28/2017 from an individual with the last name "Secreto"; home address: [REDACTED]. Investigator [REDACTED] stated that he later conferred with the New York City Police Department, who confirmed that the individual is an active NYPD Officer with the name James Secreto, Tax #918312.

Identification and Interview of Witness:

Auxiliary Police officer Solares was interviewed as a witness on December 18, 2017 she stated that she reported for duty at 1500 hours and at the start of her tour she reported to Police Officer Secreto. She was not assigned a patrol related task, and remained in civilian attire. Police Officer Secreto requested that she accompanied him to get coffee, they both left the 9th Precinct in plain clothes in an unmarked vehicle. Auxiliary Police Officer Solares stated that she was unaware of the intentions of Police

Officer Secreto in regards to performing personal errands. She also stated that she remained in the vehicle as he exited, she furthered stated she did not observe him with any merchandise or with any packages. Auxiliary Police Office Solares did not find this behavior as odd due to Police Officer Secreto engaging in similar behavior in the past.

Canvass:

Video canvass at [REDACTED] negative results
Video canvass at [REDACTED] negative results
Video canvass at [REDACTED] negative results

Identification of Subject Officer:

> Police Officer James Secreto was identified by complainant [REDACTED]

Review of Department Records:

> Arrest Report M18609779P

Thursday February 15, 2018 at approximately 0900 hours PO Secreto was arrested.

> Activity Log

Incomplete/Improper Memobook for Police Officer James Secreto

Computer and Related Background Checks:

Police Officer James Secreto, Tax # 918312

> Personnel Profile

Appointment Date: 07/18/1996

Assignment Date: 04/26/2006

Terminated

Total times Sick: 2

Command roster: Auxiliary Coordinator

Arrest 175 Felonies 45, Violations 30, Misdemeanors 92, Infractions 8

Level One Force Monitoring

Evaluation: 2016 4.5, 2015 4.5, 2014 4.5

Address: [REDACTED]

> IAPRO □ twenty one (21) incidents

Fourteen (14) Outside Guidelines, One (1) Corruption Case and Six (6) Misconduct Cases

> ICIS □ Two (2) incidents

> Central Personnel Index □ Fifteen (15) events

Six (6) Background checks, Four (4) Internal Investigations, (3) Charges & Specifications, and Two (2) Modified MOS after Suspension.

> Civilian Complaint Review Board

Seven (7) cases

Lieutenant Daniel Brown, Tax # 892820

> Personnel Profile

Appointment Date: 07/28/1987

Assignment Date: 05/28/2013

Full Duty

Command roster: Operation Coordinator

Arrest 309 Felonies 209, Violations 2, Misdemeanors 79, Infraction 1

Level 3 Dismissal Probation

Evaluation: 2016 4.5, 2015 4.5, 2014 4.5

Address: [REDACTED]

> IAPRO □ Twelve (12) incidents

Three (3) Outside Guidelines, Six (6) Corruption Case and Two (2) IXLO and One (1) CCRB

> ICIS □ Three (3) incidents

> Central Personnel Index □ Twenty Six (26) events

Thirteen (13) Background checks, Seven (7) Internal Investigations, One (1) Charges & Specifications, One (1) Modified MOS after Suspension and Transfer for cause.

> Civilian Complaint Review Board

Three (3) cases

Lieutenant James Lee, Tax # 930421

> Personnel Profile

Appointment Date: 07/01/2002

Assignment Date: 04/18/2016

Full Duty

Command roster: Operation Coordinator

Arrest 249 Felonies 74, Violations 22, Misdemeanors 150, Infraction 3

Level 3 Dismissal Probation

Evaluation: 2016 4.5, 2015 4.5, 2014 4.0 Address: [REDACTED]

>IAPro ☐ Twelve (12) incidents

Twenty (20) Outside Guidelines, One (1) Corruption Case and Five (5) Misdemeanors and Seven (7) CCRB

>ICIS ☐ Sixteen (16) incidents

>Central Personnel Index ☐ Thirty Five (35) events

Fourteen (14) Background checks, Ten (10) Internal Investigations, Two (2) Charges & Specifications, One (1) Civil Suit, Three (3) Modified MOS after Suspension and Transfer for cause.

>Civilian Complaint Review Board

Ten (10) cases

Sergeant Guillermo Moncada, Tax # 919426

>Personnel Profile

Appointment Date: 04/15/1997

Assignment Date: 03/13/2015

Full Duty

Command roster: NCO

Arrest 74 Felonies 25, Violations 22, Misdemeanors 47, Infraction 0

Monitoring: No incidents

Evaluation: 2016 4.0, 2015 4.0, 2014 4.0

Address: [REDACTED]

>IAPro ☐ Nine (9) incidents

Seven (7) Outside Guidelines, One (1) Corruption Case and One (1) CCRB

>ICIS ☐ Twenty Seven (27) incidents

>Central Personnel Index ☐ Five (5) events

Three (3) Background checks, Two (2) Internal Investigations, >Civilian Complaint Review Board

One (1) case

Sergeant James Keating, Tax # 932845

>Personnel Profile

Appointment Date: 07/01/2003

Assignment Date: 11/07/2016

Full Duty

Command roster: Patrol Supervisor

Arrest 76 Felonies 7, Violations 0, Misdemeanors 69, Infraction 0

Monitoring: No incidents

Evaluation: 2016 3.5, 2015 4.0, 2014 4.0

Address: [REDACTED]

>IAPro ☐ Four (4) incidents

Three (3) Outside Guidelines, One (1) Misconduct Case

>ICIS ☐ Eight (8) incidents

>Central Personnel Index ☐ Five (5) events

Two (2) Background checks, Two (2) Internal Investigations, and One (1) Chronic Sick >Civilian Complaint Review Board

No cases

Sergeant Kwame Pascal, Tax # 947325

>Personnel Profile

Appointment Date: 07/08/2008

Assignment Date: 09/29/2015

Full Duty

Command roster: Patrol Supervisor

Arrest 302 Felonies 43, Violations 2, Misdemeanors 257, Infractions 0

Monitoring: No incidents

Evaluation: 2016 4.5, 2015 3.5, 2014 4.5

Address: [REDACTED]

>IAPro ☐ Nine (9) incidents

Five (5) Outside Guidelines, Two (2) Corruption Cases, One (1) CCRB and One (1) Programmatic Review

>ICIS ☐ Six (6) incidents

>Central Personnel Index ☐ Five (5) events

Two (2) Background checks, Two (2) Internal Investigations, and One (1) Chronic Sick >Civilian Complaint Review Board

Three (3) cases

Sergeant Thomas Yang, Tax # 923389

>Personnel Profile

Appointment Date: 08/31/1998

Assignment Date: 11/04/2013

Full Duty

Command roster: Patrol Supervisor

Arrest 125 Felonies 38, Violations 4, Misdemeanors 82, Infraction 1

Monitoring: No incidents

Evaluation: 2016 4.0, 2015 4.0, 2014 4.5

Address: [REDACTED]

>IAPRO □ Sixteen (16) incidents
Eleven (11) Outside Guidelines, One (1) Corruption Cases, Four (4) CCRB
>ICIS □ Seven (7) incidents
>Central Personnel Index □ Three (3) events
One (1) Background check and Two (2) Internal Investigations >Civilian Complaint Review Board
Three (3) cases

IAB Intelligence Results:

RFI # 17-1161 □ Agent stated that Police Officer Secreto is the Auxiliary Coordinator for the 9th Precinct.. He was previously the XO's Driver before he got transferred and he's very close to bosses which is why cops don't like him. He is considered trustworthy because he deals with money when organizing trips for the command.

Conferrals Conducted:

>PCU- Julio Cuevas to determine if the subject officer would be prosecuted.
>District Attorney Emily Farber met with her in regards to this case, informed her about the control buys that we conducted, awaiting for written plea proposal from PO Secreto's attorney and confirmed the date of Police Officer Secreto's arrest.
>Group #7-sergeant Chang to conduct additional Ebay searches, monitor Police Officer Secreto's account, purchase Xerox related products, social media request for Police Officer Secreto and [REDACTED]
>Group #55-Sergeant Geraldino conducted positive Surveillances on Police Officer Secreto.
>Group 2- conducted financial background checks for James [REDACTED] Secreto resulted in negative results, no suspicious activity.
>Group #52 Detective Falango stated that Police Officer Secreto has no IT history.
>LMSI-request and received Precinct video from the 9th Precinct.
>Police Officer Shapiro who is latent print certified dusted for prints which resulted in negative results.
>Xerox Consultant [REDACTED] identified items that Police Officer Secreto purchased, as Xerox items sent to the 9th Precinct.
>[REDACTED] Legal Department- [REDACTED] stated that the video recording was inoperable at the time of requested date.
>[REDACTED] Employee- could not determine if the items that was stolen came from that particular store.

Proactive Measures:

>Surveillances by Group 12 and Group 55
Six (6) surveillances were conducted by members of Group 12 and 55 at 321 East 5th Street (9th Precinct) and [REDACTED]
[REDACTED] There was misconduct observed by Police Officer Secreto during several of the surveillances. Police Officer Secreto was observed removing Department property from the command and entering items in a Department vehicle. He also was observed removing Xerox toner from his personal vehicle and placing it inside the Executive Officer vehicle and delivering the items to an undercover.

>Control Buys conducted by Group 7 and 12

There were two controlled buys between Police Officer Secreto and [REDACTED] of Group 7.

On December 12, 2017 Police Officer Secreto was observed arriving at [REDACTED] Police Officer Secreto introduced himself to the IAB undercover, took out two brown square shaped boxes from his bag, and placed them on the table. [REDACTED] purchased the stolen NYPD items (Xerox toners).

On December 18, 2017 Police Officer Secreto was observed arriving at [REDACTED] Police Officer Secreto was observed removing the clear plastic bag from the trunk, walking into the [REDACTED] alone where he sold [REDACTED] stolen NYPD products (Xerox toners). Police Officer Secreto was modified thereafter.

Patrol Guide 206-13 Hearings:

>Sergeant Kwame Pascal was interviewed as a subject officer on December 18, 2017, Sergeant Pascal, stated that he was assigned as the Desk Officer. He did not conduct Roll Call for the Third Platoon. He did not account for any MOS who were assigned to work prior to 1500 hours. After review of the third platoon roll call, it was noted that Police Officer Secreto had begun his tour at 1400 hours, assigned as the Auxiliary Coordinator. Sergeant Pascal did not note of any Command Log entry regarding Police Officer Secreto's PFD. Sergeant Pascal did not have any interaction with Police Officer Secreto on December 18, 2017. Sergeant Pascal stated that he was unaware that Police Officer Secreto was PFD in the precinct. He also stated that Police Officer Secreto is under the direction and supervision of the Special Operation Lieutenant. Sergeant Pascal did not note any vehicle other than those assign to a specific sector into the AVL application and he did not assign Police Officer Secreto any vehicle nor task to perform. As the Desk Officer, he does not regularly have any interaction with Police Officer Secreto. Sergeant Pascal did confirm the 9th precinct does have a marked Auxiliary RMP, but does not know what vehicles Police Officer Secreto has access to.

>Sergeant Thomas Yang was interviewed as a subject officer on December 18, 2017, Sergeant Yang stated that on December 18, 2017, he was performing a 1450x2347 tour assigned as the Patrol Supervisor. He also stated that he conducted roll call for the outgoing Third Platoon and Sergeant Pascal did make adjustments to the roll call, in regards to patrol functions. Although, PO Secreto was noted on the third platoon roll call, he had begun his tour at 1400 assigned as the Auxiliary Coordinator. He further stated that he did not have any interaction with PO Secreto on December 18, 2017, in person nor through electronic means. Sergeant Yang stated that PO Secreto does perform duty in plain clothes at times and he has observed PO Secreto performing his duties in an unmarked RMP, assigned to Anti Crime and to the Special Operations Lieutenant. He also stated he did not authorize PO Secreto to perform duties in plain clothes nor issue him an unmarked RMP.

>Sergeant Guillermo Moncada was interviewed as a subject officer on January 9, 2018

Sergeant Moncada stated on Monday December 12, 2017 he was working a 3rd platoon and his assignment was the Desk Officer. He furthered stated that during his tour he did not recall seeing PO Secreto inside the command. Sergeant Moncada stated that PO Secreto is the Auxiliary Coordinator, and usually performs odd tours and never present himself to the desk when present for duty. He furthered stated that PO Secreto's immediate supervisor is Lieutenant Lee and he was never instructed to supervise PO Secreto or was he ever assigned to a sector. He also stated that when he did see PO Secreto he was in uniform and sometimes in plain clothes. He also stated that no one gave the desk officer specific instructions about PO Secreto in regards to his odd tours or assignment.

>Sergeant James Keating was interviewed as a subject officer on January 9, 2018 Sergeant Keating stated on Monday December 18, 2017 he was working a 2nd platoon and his assignment was the Desk Officer. He also stated that during his tour he did not recall seeing PO Secreto inside the command. He furthered stated that PO Secreto did not call for an E day, submit a #28, or go sick during his tour. He furthered stated that PO Secreto is the Auxiliary Coordinator and usually performs odd tours and never presents himself to the desk when present for duty. Sergeant Keating was asked did you stop PO Secreto and question him if you saw him in the command doing an odd tour, isn't that part of your function as a desk officer, and Sergeant Keating replied yes it is his job to question him. Sergeant Keating furthered stated that PO Secreto's immediate supervisor is Lieutenant Lee and he was never instructed to supervise PO Secreto or was he ever assigned to a sector. He also stated that when he did see PO Secreto he was never in uniform, always in plain clothes. No one gave the desk officer specific instructions about PO Secreto in regards to his odd tours or assignment.

>Lieutenant James Lee was interviewed as a subject officer on January 9, 2018 Lieutenant Lee stated that PO James Secreto is the Auxiliary Coordinator and he usually performs [REDACTED] with S/S RDO's and his tours was flexible. He also stated that PO Secreto would text him his Schedule for the week every Monday but he would report to the desk when he came into work. Lieutenant Lee stated that he did observed PO Secreto report to the desk maybe once or twice, which he instructed him to do. Lieutenant Lee was asked if PO Secreto perform his duty in uniform or plainclothes and he stated that PO Secreto performs his duty mostly in plainclothes. He also stated that PO Secreto was not given any specific assignments, his main function of the day was to take out APO's for patrol. Lieutenant Lee stated that PO Secreto was to report to the desk and informed them what APO'S he's taking out on patrol and what vehicle will be utilized. He stated that if PO Secreto wasn't doing that he was basically the precinct 'gopher.' He also stated that PO Secreto never informed him when he was leaving the command and that other bosses would use him to perform other precinct tasks. Lieutenant Lee was asked if PO Secreto was required to keep and maintain a memobook, and he replied yes. He was asked did you ever inspect his memobook and he replied, "No, that was a lack of supervision on my part". He was then asked did you instruct other supervisors to inspect PO Secreto's memobook and he replied yes, the desk officer and the patrol supervisors.

Lieutenant Lee was asked is it protocol for PO Secreto to perform patrol with a APO in an unmarked vehicle, he replied, "no", were you aware that on Monday December 18, 2017 the day PO Secreto was modified, he had a APO inside unmarked vehicle # [REDACTED] "no I was not, I was RDO" He was also asked if he was working on Tuesday December 12, 2017 and he stated yes "I was working a [REDACTED] but I was granted lost time at 1745 hours" and he stated that he did not have any contact with PO Secreto that day. He furthered stated that PO Secreto does have a set of keys to vehicle # [REDACTED] which he gave to him, and he has permission to use the vehicle as needed. Lieutenant Lee was asked who signs PO Secreto's #28/overtime reports and he stated other supervisors, did you check his #28's for integrity purposes, he stated "no, I would ask the ICO". Lieutenant Lee stated that he did not know where the precinct toner was stored and he was not aware of PO Secreto having a key to the locker. He also stated when he did inspect PO Secreto's office, he did not observed any Xerox products and that all lockers was properly secured. He furthered stated that he never observed PO Secreto handling Xerox toners, he never observed him leaving the command with Xerox toners, and he was not aware of him having a key to the locker which secures the Xerox toners.

>Lieutenant Daniel Brown was interviewed as a subject officer on January 16, 2018 Lieutenant Brown stated that he's the Operation Coordinator for the 9th Precinct and he's in charge of all department property that is stored at the command. He also stated that the Xerox ink/toner is stored in a locked closet outside his office which he and the Adm. Sergeant has the key. He furthered stated that the Auxiliary Coordinator, PO James Secreto had a master key which opened the closet as well. Lieutenant Brown was asked if he issued PO Secreto the key and he stated, "No, he had the key before I was assigned to the command." Lieutenant Brown stated that it's a new system that Xerox implemented, the machine knows when it's running out of ink so Xerox automatically mails out the toner to the precinct. He stated the ink/toner is delivered to the desk where someone signs for it and then it makes it way up to his office which is on the 4th floor. He was asked is there a log kept for ingoing and outgoing ink/toner and he replied there's no procedure for the distribution of the ink/toner. Lieutenant Brown furthered stated that he never authorized PO Secreto to remove ink/toner from the locked closet and he never observed PO Secreto leave the command with any ink/toner. He stated that when he is not working, the Administrative Sergeant has access to the closet. He was asked the keys to the closet are left at the desk and he stated that he is not aware if they are.

>Sergeant Valentin Khazin was interviewed as a witness on February 7, 2018 Sergeant Khazin stated that he's a Patrol Supervisor for Squad B2 and on Monday December 18, 2017, he was assigned to patrol. He also stated during his tour he did not have any interaction personally or electronically with the Auxiliary Coordinator, Police Officer James Secreto. Sergeant Khazin furthered stated that PO Secreto's immediate supervisor is Lieutenant Lee and he was never instructed to supervise PO Secreto or was he ever assigned to a sector. He also stated that when he did see PO Secreto he was in uniform and sometimes in plain clothes. He furthered stated that PO Secreto usually performed 3rd Platoons. Sergeant Khazin stated that he was not aware of PO Secreto removing Xerox toner from the command and selling it on Ebay.

Conclusion:

The investigation into C-2017-0513 has been concluded and no further investigation is warranted at this time. On Monday,

October 9th, 2017 at 1415 hours, Inspector Kevin Nicholson (ITB) called the command center to report that a representative from the Xerox Company called his office to report that listed MOS was selling Xerox toner on EBay, which was originally sold to the NYPD. The Xerox Corporation conducted their own investigation and determined that "Jimmy Secreto" who is a NYC Police Officer, was the seller. He earned \$400.00 through the sale of the toner. The toner was originally sent to the 9th Precinct, which is where the MOS is assigned. Subsequent investigation revealed that Police Officer Secreto was involved with multiple thefts and sale of toner from approximately March 1, 2017 through December 18, 2017. Police Officer Secreto was placed on modified assignment on December 18, 2017 and terminated from the New York City Police Department on January 12, 2018.

On February 15, 2018, former Police Officer James Secreto was arrested and charged with one count of Grand Larceny in the 4th Degree. A plea agreement was reached prior to the arraignment and he pled guilty to Petit Larceny and was sentenced to four (4) days of community service and restitution in the amount of \$2,917.89.

Subject Officers Finding and Disposition:

Police Officer James Secreto, Tax # 918312, 9th Precinct.

>DRV-Other- Abuse of Department Regulations (Selling of NYPD Property)-Substantiated

>Official Misconduct-SUBSTANTIATED

>Crime (not domestic) Criminal Possession of Stolen Property-SUBSTANTIATED

>Crime (not domestic) Grand Larceny-SUBSTANTIATED

>Modified MOS-INFORMATION AND INTELLIGENCE

>Charges & Specifications- INFORMATION AND INTELLIGENCE

>Suspended MOS- INFORMATION AND INTELLIGENCE

>Additional Information- INFORMATION AND INTELLIGENCE

>Arrested MOS- INFORMATION AND INTELLIGENCE

>Crime (not domestic) Petit Larceny-SUBSTANTIATED

>Failed to Comply w/Order- SUBSTANTIATED (Spec #1)

>Misuse of Time-on Straight Time- SUBSTANTIATED

>Memobook Incomplete/Improper- SUBSTANTIATED

>Official Statement-False Statement-PG-SUBSTANTIATED

Lieutenant James Lee, Tax# 930421, 9th Precinct.

>Fail to Supervise-SUBSTANTIATED

>Charges & Specifications-SUBSTANTIATED

Lieutenant Daniel Brown, Tax# 892820, 9th Precinct.

>Failed to safeguard Department Equipment-SUBSTANTIATED

Sergeant Guillermo Moncada, Tax# 919426, 9th Precinct.

>Failed to enter MOS with odd tours in the command log-SUBSTANTIATED

Sergeant James Keating, Tax# 932845, 9th Precinct.

> Failed to enter MOS with odd tours in the command log-SUBSTANTIATED

Sergeant Kwame Pascal, Tax# 947325, 9th precinct.

> Failed to enter MOS with odd tours in the command log-SUBSTANTIATED

Sergeant Thomas Yang, tax# 923389, 9th Precinct.

> Failed to enter MOS with odd tours in the command log-SUBSTANTIATED

Recommend overall disposition of SUBSTANTIATED

Subjects Involved

Name	Status	Sex	Race	Dob
892820 DANIEL BROWN LT (009-009 PRECINCT)	UNIFORM MEMBER OF SERVICE	MALE	WHITE	

Allegations

1	Full Allegation	Classification	Allegation Index	Allegation Date	Finding	Finding Date
	Fail to Safeguard Dept Equipment - Other	Abuse of Dept Regulations	Fail to Safeguard	12/19/2017	07 - Substantiated	07/27/2018
	Comments					






	LT BROWN FAILED TO SAFEGUARD DEPARTMENT EQUIPMENT WHICH LEAD TO PO SECRETO REMOVING ITEMS WITHOUT PERMISSION AND SELLING THEN ON EBAY. 'A' COMMAND DISCIPLINE WAS ISSUED WITH A ONE (1) DAY PENALTY				
Name 918312 JAMES SECRETO POM (009-009 PRECINCT)		Status UNIFORM MEMBER OF SERVICE	Sex MALE	Race WHITE	Dob [REDACTED]
Allegations					
1	Full Allegation Other Dept Rules/Procedures Violation -	Classification Abuse of Dept Regulations	Allegation Index VRP-Violation Rules/Procedures	Allegation Date 10/09/2017	Finding 07 - Substantiated Finding Date 08/01/2018
	Comments S/O sold property, stolen from and NYPD facility, on E-bay for financial gain Original Charges were not amended to reflect the above specification due to the fact that the S/O was terminated prior to his arrest however; this allegation is SUBSTANTIATED and a UF-49 was placed in his personnel folder delineating such and will prevent the S/O from returning to the NYPD.				
2	Full Allegation Official Misconduct -	Classification Crime	Allegation Index OM-Official Misconduct	Allegation Date 12/01/2017	Finding 07 - Substantiated Finding Date 08/01/2018
	Comments Subject officer stole Xerox toner from Department Facility to gain financial benefit from said sale. Original Charges were not amended to reflect the above specification due to the fact that the S/O was terminated prior to his arrest however; this allegation is SUBSTANTIATED and a UF-49 was placed in his personnel folder delineating such and will prevent the S/O from returning to the NYPD.				
3	Full Allegation Crime (Not Domestic) - Criminal Poss Stolen Property	Classification Crime	Allegation Index O-Crime Other	Allegation Date 12/01/2017	Finding 07 - Substantiated Finding Date 08/01/2018
	Comments Subject Officer was in possession of stolen property. Printer Toner that was issued to the 9th Precinct. On 12/18/2017 3 additional toners was found in his locker. Original Charges were not amended to reflect the above specification due to the fact that the S/O was terminated prior to his arrest however; this allegation is SUBSTANTIATED and a UF-49 was placed in his personnel folder delineating such and will prevent the S/O from returning to the NYPD.				
4	Full Allegation Crime (Not Domestic) - Grand Larceny - Other	Classification Crime	Allegation Index O-Crime Other	Allegation Date 12/06/2017	Finding 07 - Substantiated Finding Date 08/01/2018
	Comments Subject officer did remove Xerox toner/ink, without permission or authority to do so, and did sell said property on E-bay. Original Charges were not amended to reflect the above specification due to the fact that the S/O was terminated prior to his arrest however; this allegation is SUBSTANTIATED and a UF-49 was placed in his personnel folder delineating such and will prevent the S/O from returning to the NYPD.				
5	Full Allegation Modified MOS - Other - IAB	Classification NOTIFICATION/Additional Information	Allegation Index ADD-Additional Information	Allegation Date 12/18/2017	Finding 04 - Info. and Intelligence Finding Date 01/03/2018
	Comments On 12/18/2017 Subject was placed on Modified Assignment as per Chief Cooper, pursuant to this investigation.				
6	Full Allegation Charges & Specifications - IAB	Classification NOTIFICATION/Additional Information	Allegation Index CS-Charges and Specifications	Allegation Date 12/22/2017	Finding 04 - Info. and Intelligence Finding Date 01/03/2018
	Comments Charges and specifications were preferred against the Subject Officer for refusing to answer questions during a PG 206-13 hearing.				





7	Full Allegation Suspended MOS - Other - IAB	Classification NOTIFICATION/Additional Information	Allegation Index ADD-Additional Information	Allegation Date 12/22/2017	Finding 04 - Info. and Intelligence	Finding Date 01/03/2018
		Comments On 12/22/2017, Police Officer Secreto was suspended without pay pending trial of charges pursuant to the Administrative Code.				
8	Full Allegation Additional Information Prior Log -	Classification NOTIFICATION/Additional Information	Allegation Index ADD-Additional Information	Allegation Date 02/16/2018	Finding 04 - Info. and Intelligence	Finding Date 08/01/2018
		Comments PO JAMES SECRETO WAS ARRESTED ON 2/15/2018 BY MEMBERS OF GROUP 12				
9	Full Allegation Arrested MOS - IAB - Manhattan	Classification NOTIFICATION/Additional Information	Allegation Index ADD-Additional Information	Allegation Date 08/14/2018	Finding 04 - Info. and Intelligence	Finding Date 08/14/2018
		Comments PO JAMES SECRETO WAS ARRESTED ON 2/15/2018 BY MEMBERS OF GROUP 12				
10	Full Allegation Crime (Not Domestic) - Petit Larceny - Other Petit Larceny	Classification Crime	Allegation Index O-Crime Other	Allegation Date 08/14/2018	Finding 07 - Substantiated	Finding Date 08/14/2018
		Comments PO Secreto admitted during his PG that he shoplifted from multiple department stores, while on-duty, and selling the products on-line. The value was undetermined and will be addressed a petit larceny. Further, S/O plead guilty to petit larceny at arraignment. Original Charges were not amended to reflect the above specification due to the fact that the S/O was terminated prior to his arrest however; this allegation is SUBSTANTIATED and a UF-49 was placed in his personnel folder delineating such and will prevent the S/O from returning to the NYPD.				
11	Full Allegation Failed to Comply w/ Order -	Classification Abuse of Dept Regulations	Allegation Index VRP-Violation Rules/Procedures	Allegation Date 08/14/2018	Finding 07 - Substantiated	Finding Date 08/14/2018
		Comments ON 12/22/2017 PO SECRETO FAILED TO COMPLY WITH AN ORDER TO ANSWER QUESTIONS DURING AN OFFICAL DEPARTMENT INTERVIEW. PATROL GUIDE 206-13. SPEC#1 THIS ALLEGATION IS BEING CLOSED AS SUBSTANTIATED, IT WAS INFORMATION & INTELLIGENCE IN CASE PW-2017-18				
12	Full Allegation Misuse of Time - On Straight Time	Classification Abuse of Dept Regulations	Allegation Index Misuse of Time/AWOL/OT Abuse	Allegation Date 08/14/2018	Finding 07 - Substantiated	Finding Date 08/14/2018
		Comments SURVEILLANCE OPERATION SHOWED PO SECRETO ARRIVING TO WORK LATE AND SHOPLIFTING ON DUTY. THIS ALLEGATION IS BEING CLOSED AS SUBSTANTIATED, IT WAS INFORMATION & INTELLIGENCE IN CASE PW-2017-18 Original Charges were not amended to reflect the above specification due to the fact that the S/O was terminated prior to his arrest however; this allegation is SUBSTANTIATED and a UF-49 was placed in his personnel folder delineating such and will prevent the S/O from returning to the NYPD.				
13	Full Allegation Memobook Incomplete/Improper -	Classification Abuse of Dept Regulations	Allegation Index Administrative Integrity Issue	Allegation Date 08/14/2018	Finding 07 - Substantiated	Finding Date 08/14/2018
		Comments DURING A PG HEARING PO SECRETO ADMITTED TO NOT MAKING THE REQUIRED MEMOBOOK ENTRIES . THIS ALLEGATION IS BEING CLOSED AS SUBSTANTIATED, IT WAS INFORMATION & INTELLIGENCE IN CASE PW-2017-18 Original Charges were not amended to reflect the above specification due to the fact that the S/O was terminated prior to his arrest however; this allegation is SUBSTANTIATED and a UF-49 was placed in his personnel folder delineating such and will prevent the S/O from returning to the NYPD.				

14	Full Allegation Other Dept Rules/Procedures Violation -	Classification Abuse of Dept Regulations	Allegation Index VRP-Violation Rules/Procedures	Allegation Date 08/14/2018	Finding 07 - Substantiated	Finding Date 08/14/2018
		Comments DURING A PG HEARING PO SECRETO ADMITTED TO NOT MAKING THE REQUIRED ENTRIES IN THE VEHICLE UTILIZATION LOG. THIS ALLEGATION IS BEING CLOSED AS SUBSTANTIATED, IT WAS INFORMATION & INTELLIGENCE IN CASE PW-2017-18 Original Charges were not amended to reflect the above specification due to the fact that the S/O was terminated prior to his arrest however; this allegation is SUBSTANTIATED and a UF-49 was placed in his personnel folder delineating such and will prevent the S/O from returning to the NYPD.				
15	Full Allegation Official Statement - False Statement - PG	Classification Perjury/False Statements	Allegation Index GO15-PG 206-13	Allegation Date 08/14/2018	Finding 07 - Substantiated	Finding Date 08/14/2018
		Comments DURING A PG HEARING PO SECRETO STATED HE WAS DYING FROM 9/11 RELATED ILLNESS IN ATTEMPT TO GAIN SYMPATHY FROM THE INVESTIGATORS. AFTER CONFERRAL WITH THE MEDICAL DIVISION IT WAS REVEALED THAT PO SECRETO DID NOT HAVE A TERMINAL ILLNESS.THIS ALLEGATION IS BEING CLOSED AS SUBSTANTIATED, IT WAS INFORMATION & INTELLIGENCE IN CASE PW-2017-18. Original Charges were not amended to reflect the above specification due to the fact that the S/O was terminated prior to his arrest however; this allegation is SUBSTANTIATED and a UF-49 was placed in his personnel folder delineating such and will prevent the S/O from returning to the NYPD.				
Name 919426 GUILLERM MONCADA SGT (009- 009 PRECINCT)		Status UNIFORM MEMBER OF SERVICE		Sex MALE	Race	Dob [REDACTED]
Allegations						
1	Full Allegation Other Dept Rules/Procedures Violation -	Classification Abuse of Dept Regulations	Allegation Index VRP-Violation Rules/Procedures	Allegation Date 01/10/2018	Finding 07 - Substantiated	Finding Date 07/27/2018
		Comments Desk Officer failed to enter MOS with odd tours in the command log.'A' Command Discipline was issued with a one (1) day penalty.				
Name 923389 THOMAS YANG SGT (009-009 PRECINCT)		Status UNIFORM MEMBER OF SERVICE		Sex MALE	Race ASIAN/PAC.ISL	Dob [REDACTED]
Allegations						
1	Full Allegation Other Dept Rules/Procedures Violation -	Classification Abuse of Dept Regulations	Allegation Index VRP-Violation Rules/Procedures	Allegation Date 02/20/2018	Finding 07 - Substantiated	Finding Date 07/27/2018
		Comments Sergeant Yang was the Patrol Supervisor on above noted date. Sergeant Yang stated in his own admission that he did observe PO Secreto on the Third Platoon rollcall but did not have any interaction with him in person or electronically during the tour.'A' Command Discipline was issued with a one (1) day penalty.				
Name 930421 JAMES LEE LT (009-009 PRECINCT)		Status UNIFORM MEMBER OF SERVICE		Sex MALE	Race ASIAN/PAC.ISL	Dob [REDACTED]
Allegations						
1	Full Allegation Failed to Supervise -	Classification Abuse of Dept Regulations	Allegation Index FTS-Fail to Supervise	Allegation Date 12/19/2017	Finding 07 - Substantiated	Finding Date 07/27/2018


		Comments LT LEE SPECIAL OPERATION COORDINATOR FAILED TO SUPERVISE PO SECRETO THE AUXILIARY COORDINATOR. LT LEE FAILED TO SIGN HIS ACTIVITY LOG, FAILED TO ENSURE PO SECRETO WAS PERFORMING HIS SCHEDULED TOUR, AND ASSIGNMENTS OVER A TWELVE MONTH PERIOD.CHARGES & SPECIFICATIONS SPEC#1				
2	Full Allegation Charges & Specifications - IAB	Classification NOTIFICATION/Additional Information	Allegation Index CS-Charges and Specifications	Allegation Date 06/14/2018	Finding 04 - Info. and Intelligence	Finding Date 07/27/2018
		Comments Subject received Charges and Specifications for Fail to supervise.				
Name 932845 JAMES KEATING SGT (009-009 PRECINCT)		Status UNIFORM MEMBER OF SERVICE		Sex MALE	Race WHITE	Dob [REDACTED]
Allegations						
1	Full Allegation Other Dept Rules/Procedures Violation -	Classification Abuse of Dept Regulations	Allegation Index VRP-Violation Rules/Procedures	Allegation Date 01/10/2018	Finding 07 - Substantiated	Finding Date 07/27/2018
		Comments Desk Officer failed to enter MOS with odd tours in the command log.'A' Command Discipline was issued with a one (1) day penalty.				
Name 947325 KWAME PASCAL SGT (009-009 PRECINCT)		Status UNIFORM MEMBER OF SERVICE		Sex MALE	Race BLACK	Dob [REDACTED]
Allegations						
1	Full Allegation Other Dept Rules/Procedures Violation -	Classification Abuse of Dept Regulations	Allegation Index VRP-Violation Rules/Procedures	Allegation Date 02/15/2018	Finding 07 - Substantiated	Finding Date 07/27/2018
		Comments Desk Officer failed to enter MOS with odd tours in the command log.'A' Command Discipline was issued with a one (1) day penalty.				

ATTACHMENT

1	 <u>'AMENDMENT REQUEST FOR CHARGES & SPECS'</u>
2	 <u>'LT BROWN CD'</u>
3	 <u>'PO SECRETO CHARGES & SPECIFICATIONS'</u>
4	 <u>'SGT MONCADA CD'</u>
5	 <u>'SGT KEATING CD'</u>

6	 'DISPOSITION LETTERS'
7	 'LT LEE CHARGES & SPECIFICATIONS'
8	 'SGT PASCALE CD'
9	 'SGT YANG CD'

Reporting Officer:	Rank SGT	Name FELDER GLORIA		Tax Reg. No. 929519		Command G12-GROUP 12
Reviewing Supervisor:	Manner of Closing 5 - SUBSTANTIATED	Date Reviewed 10/04/2018	Date of Next Review	Name COOPER ALAN		Supv. Tax No. 885434
Endorser:	Rank DI	Name TRAVAGLIA JOHN	Tax Reg. No. 903243	Command G12-GROUP 12	DateTime Reviewed 08/03/2018 17:46	Status Approved
	Comments APPROVE FOR CLOSING.					
Endorser:	Rank DI	Name VIERLING LOUIS	Tax Reg. No. 919823	Command Z01-ZONE 1	DateTime Reviewed 08/08/2018 16:29	Status Rejected
	Comments <div></div>					
Endorser:	Rank LCD	Name SCIANNA KENNETH	Tax Reg. No. 919692	Command G12-GROUP 12	DateTime Reviewed 08/15/2018 17:15	Status Approved
	Comments CONTENTS NOTED. ZONE 1 XO STEPS COMPLETED					
Endorser:	Rank DI	Name VIERLING LOUIS	Tax Reg. No. 919823	Command Z01-ZONE 1	DateTime Reviewed	Status Approved

					08/15/2018 17:17	
	Comments CASE REVIEWED: ADDITIONAL STEPS REQUESTED HAVE BEEN COMPLETED AND DOCUMENTED. FORWARDED FOR YOUR REVIEW.					
Endorser:	Rank INS	Name SHEA THOMAS	Tax Reg. No. 899848	Command Z01-ZONE 1	DateTime Reviewed 08/21/2018 08:09	Status Rejected
	Comments 					
Endorser:	Rank LCD	Name SCIANNA KENNETH	Tax Reg. No. 919692	Command G12-GROUP 12	DateTime Reviewed 08/21/2018 11:19	Status Approved
	Comments CORRECTIONS MADE AND FORWARDED FOR REVIEW.					
Endorser:	Rank DI	Name VIERLING LOUIS	Tax Reg. No. 919823	Command Z01-ZONE 1	DateTime Reviewed 08/21/2018 11:37	Status Approved
	Comments CASE REVIEWED: ADDITIONAL CORRECTIONS MADE & DOCUMENTED IN CASE.					
Endorser:	Rank INS	Name SHEA THOMAS	Tax Reg. No. 899848	Command Z01-ZONE 1	DateTime Reviewed 08/21/2018 12:49	Status Approved
	Comments 1- APPROVE CLOSING. CASE SUBMITTED FOR REVIEW. SUBJECT OFFICER DISMISSED FROM THE DEPARTMENT. CHARGES AND SPECS ISSUED FOR FAILURE TO ANSWER QUESTIONS AT A PG HEARING. ADDITIONAL CRIMINAL ALLEGATIONS AS WELL AS ADMINISTRATIVE ALLEGATIONS ARE SUBSTANTIATED WITHOUT CHARGES AND SPECIFICATIONS, DUE TO THE ARREST OF SUBJECT OFFICER AFTER HIS DISMISSAL FROM THE DEPARTMENT. A UF49 WITH THE ADDITIONAL SUBSTANTIATED ALLEGATIONS HAS BEEN PLACED INTO HIS PERSONNEL FOLDER.					
Endorser:	Rank DC	Name COOPER ALAN	Tax Reg. No. 885434	Command CRI-CRIMINAL INVESTIGATIONS	DateTime Reviewed 10/04/2018 17:22	Status Approved
	Comments CONCUR, CASE CLOSED. PO SECRETO WAS TERMINATED FROM THIS DEPARTMENT ON JANUARY 12TH, 2018					